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PATENT
ATTY. DOCKET NO.: 100858.00106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Arthur L. VELLUTATO

Group Art Unit: 1744

Serial No.: 09/994,671

Examiner: L. McKane

Filed: November 28, 2001

For: METHOD OF STERILIZATION

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3/28/03
A.P.

RESPONSE

Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated January 16, 2003 (Paper No. 9), please enter the following comments in the above-identified patent application.

REMARKS

The Office Action dated January 16, 2003 has been carefully considered. Reconsideration is respectfully requested based on the following remarks and the enclosed Terminal Disclaimer.

The Examiner rejects claims 29-32 under the judicially created doctrine of obviousness-type double patenting over claims 8 and 11 of U.S. Patent No. 6,333,006. In addition, the Examiner rejects claim 33 under the judicially created doctrine of obviousness-type double patenting over claim 6 of U.S. Patent No. 6,123,900. Specifically, the Examiner indicates that claims 29-32 are "encompassed by the broader claim 8 of the '006 patent, and that the steps of